

MAR. 14. 2006 4:34PM

FOLEY 8587926773

NO. 4509 P. 1

FOLEY**RECEIVED
CENTRAL FAX CENTER****MAR 14 2006****FOLEY & LARDNER LLP
ATTORNEYS AT LAW**11250 EL CAMINO REAL, SUITE 200
SAN DIEGO, CA 92130
P.O. BOX 80278
SAN DIEGO, CA 92138-0278
TELEPHONE: 858.847.6700
FACSIMILE: 858.792.6773
WWW.FOLEY.COM**FACSIMILE TRANSMISSION****Total # of Pages 6 (including this page)**

| TO: | PHONE #: | FAX #: |
|--|--------------|--------------|
| Examiner David Lukton Group Art Unit 1653 U.S. Patent and Trademark Office | 571-272-0952 | 571-273-8300 |

From : Stacy L. Taylor
Email Address : staylor@foley.com
Sender's Direct Dial : 858.847.6720
Date : March 14, 2006
Client/Matter No : 041673-1202
User ID No : 9055

MESSAGE:

U.S. Patent Application No. 10/705,791

Following is:

- 1) Amendment Transmittal; and
- 2) Supplemental Amendment and Reply Under 37 CFR 1.111.

If there are any problems with this transmission or if you have not
received all of the pages, please call 858.847.6700.

| | | |
|-----------|------------|--------------------------------------|
| Operator: | Time Sent: | Return Original To: Rachel Caputo |
|-----------|------------|--------------------------------------|

CONFIDENTIALITY NOTICE: THE INFORMATION CONTAINED IN THIS FACSIMILE MESSAGE IS INTENDED ONLY FOR THE PERSONAL AND CONFIDENTIAL USE OF THE DESIGNATED RECIPIENTS NAMED ABOVE. THIS MESSAGE MAY BE AN ATTORNEY-CLIENT COMMUNICATION, AND AS SUCH IS PRIVILEGED AND CONFIDENTIAL. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT OR ANY AGENT RESPONSIBLE FOR DELIVERING IT TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT YOU HAVE RECEIVED THIS DOCUMENT IN ERROR, AND THAT ANY REVIEW, DISSEMINATION, DISTRIBUTION OR COPYING OF THIS MESSAGE IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE AND RETURN THE ORIGINAL MESSAGE TO US BY MAIL. THANK YOU.

Atty. Dkt. No. 041673-1202

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: CHIEN et al,

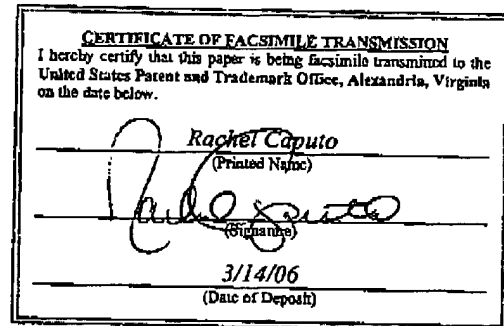
Title: METHOD FOR INHIBITION FOR
INHIBITION OF PHOSPHOLAMBAN
ACTIVITY FOR THE TREATMENT
OF CARDIAC DISEASE AND
HEART FAILURE

Appl. No.: 10/705791

Filing Date: 11/2/1999

Examiner: David Lukton

Art Unit: 1800

**AMENDMENT TRANSMITTAL****RECEIVED
CENTRAL FAX CENTER****MAR 14 2006**

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith is an amendment in the above-identified application.

☒ [X] The fee required for additional claims is calculated below:

| | Claims As Amended | Previously Paid For | Extra Claims Present | Rate | Additional Claims Fee |
|--|-------------------------|------------------------|-------------------------|------------|--------------------------|
| Total Claims: | 8 | - 20 | = 0 | x \$50.00 | = \$0.00 |
| Independent Claims: | 2 | - 3 | = 0 | x \$200.00 | = \$0.00 |
| First presentation of any Multiple Dependent Claims: | | | | + \$360.00 | = \$0.00 |
| CLAIMS FEE TOTAL | | | | | = \$0.00 |

Atty. Dkt. No. 041673-1202

- ☐ Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:

| | | |
|--|------------|--------|
| <input type="checkbox"/> Extension for response filed within the first month: | \$120.00 | \$0.00 |
| <input type="checkbox"/> Extension for response filed within the second month: | \$450.00 | \$0.00 |
| <input type="checkbox"/> Extension for response filed within the third month: | \$1,020.00 | \$0.00 |
| <input type="checkbox"/> Extension for response filed within the fourth month: | \$1,590.00 | \$0.00 |
| <input type="checkbox"/> Extension for response filed within the fifth month: | \$2,160.00 | \$0.00 |
| EXTENSION FEE TOTAL: | | \$0.00 |
| <input type="checkbox"/> Statutory Disclaimer Fee under 37 C.F.R. 1.20(d): | \$130.00 | \$0.00 |
| CLAIMS, EXTENSION AND DISCLAIMER FEE TOTAL: | | \$0.00 |
| <input type="checkbox"/> Small Entity Fees Apply (subtract ½ of above): | | \$0.00 |
| TOTAL FEE: | | \$0.00 |

- ☒ The Commissioner is hereby authorized to charge any fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-0872. If any extensions of time are needed for timely acceptance of papers submitted herewith, applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 50-0872.

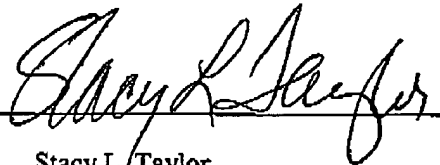
Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date

3-14-2006

By



FOLEY & LARDNER LLP
P.O. Box 80278
San Diego, California 92138-0278
Telephone: (858) 847-6720
Facsimile: (858) 792-6773

Stacy L. Taylor
Attorney for Applicant
Registration No. 34,842

MAR 14 2006

Atty. Dkt. No. 041673-1202

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: CHIEN et al.

Title: METHOD FOR INHIBITION FOR
INHIBITION OF
PHOSHOLAMBAN ACTIVITY
FOR THE TREATMENT OF
CARDIAC DISEASE AND
HEART FAILURE

Appl. No.: 10/705791

Filing Date: 11/02/1999

Examiner: Sgagias, M.

Art Unit: 1632

| |
|---|
| CERTIFICATE OF FACSIMILE TRANSMISSION I hereby certify that this paper is being facsimile transmitted to the United States Patent and Trademark Office, Alexandria, Virginia on the date below. Rachel L. Caputo (Printed Name) [Signature] (Signature) 3/14/06 (Date of Deposit) |
|---|

SUPPLEMENTAL AMENDMENT AND REPLY UNDER 37 CFR 1.111Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This communication supplements the response filed on March 2, 2006 to the Non-Final Office Action dated 12/2/2005, concerning the above-referenced patent application.

Amendments to the Specification begin on page 2 of this document.

Remarks/Arguments begin on page 3 of this document.

Please amend the application as follows: